

## Message Text

CONFIDENTIAL

PAGE 01 CAIRO 02046 171656Z

43

ACTION OES-05

INFO OCT-01 NEA-10 ISO-00 ACDA-05 CIAE-00 INR-07 IO-11

L-03 NSAE-00 NSC-05 EB-07 NRC-05 FEAE-00 DODE-00 SS-15

SP-02 PM-04 ERDA-05 /085 W

----- 118393

P 171422Z FEB 76

FM AMEMBASSY CAIRO

TO SECSTATE WASHDC PRIORITY 0134

C O N F I D E N T I A L CAIRO 2046

E.O. 11652: GDS

TAGS: PFOR, TECH, EG

TSUBJECT: REVISED DRAFT NUCLEAR AGREEMENT FOR COOPERATION -  
EGYPTIAN PROPOSED REVISIONS

REF: STATE A-8, CAIRO 0480, STATE 009388, CAIRO 635

1. FOLLOWING IS THE COMPLETE TEXT OF LETTER DATED FEBRUARY 14, D1976 FROM MINISTER OF SCIENTIFIC RESEARCH AND NUCLEAR ENERGY ADR. GUBEILI. LETTER REPLIES TO AMBASSADOR'S LETTERS OF JANUARY 14 AND 16 WHICH PROVIDED THE REVISED TEXT OF THE DRAFT AGREEMENT FOR NUCLEAR COOPERATION BETWEEN EGYPT AND THE UNITED STATES AND PROPOSES FURTHER CHANGES. ORIGINAL LETTER BEING POUCHED.

2. QUOTE I HAVE THE HONOUR TO REFER TO YOUR LETTERS OF JANUARY 14TH AND 16TH CONCERNING THE REVISED DRAFT AGREEMENT ON NUCLEAR COOPERATION, AND WISH TO INFORM YOU THAT WE HAVE A FEW COMMENTS ON THE CHANGES INTRODUCED TO THE TEXT OF VARIOUS ARTICLES. OUR COMMENTS MAY BE SUMMARISED IN THE FOLLOWING POINTS -

FIRST: IN THE NOTE

ON PAGE (5), SECOND PARAGRAPH FOURTHLINE WE PROPOSE TO REPLACE THE WORD "CERTAIN" BY THE WORD "THE".

SECOND: ARTICLE I

WE PROPOSE THAT THE NEW DEFINITIONS INTRODUCED IN THIS

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 CAIRO 02046 171656Z

ARTICLE IN ITEMS 6, 9 AND 14BE CHANGED IN ACCORDANCE WITH

THE DEFINITIONS ADOPTED BY THE IAEA AND WHICH ARE  
INCORPORATED IN THE LATEST IAEA 1976 SAFEGUARDS DOCUMENT.  
ACCORDINGLY WE SUGGEST THAT:

1. THE DEFINITION OF "NUCLEAR FACILITY" ITEM 6, BE CHANGED  
TO READ AS FOLLOWS:

"A REACTOR, A CRITICAL FACILITY, A CONVERSION PLANT, A  
FABRICATION PLANT, A REPROCESSING PLANT, AN ISOTOPE  
SEPARATING PLANT; OR ANY LOCATION WHERE NUCLEAR MATERIAL  
IN AMOUNTS GREATER THAN ONE EFFECTIVE KG. IS CUSTOMARILY  
USED.

2. THE DEFINITION OF "REPLICATED NUCLEAR FACILITY" ITEM (9)  
BE CHANGED TO READ:-

"REPLICATED NUCLEAR FACILITIES" MEANS NUCLEAR FACILITIES  
WHICH INCORPORATE MAINLY OR/ARE DERIVED FROM TECHNOLOGICAL  
INFORMATION TRANSFERRED TO THE GOVERNMENT OF THE ARAB  
REPUBLIC OF EGYPT OR AUTHORIZED PERSONS UNDER ITS JURISDICTION  
PURSUANT TO THIS AGREEMENT. NUCLEAR FACILITIES SHALL BE  
CONSIDERED TO INCORPORATE MAINLY OR BE DERIVED FROM  
TECHNOLOGICAL INFORMATION TRANSFERRED AS AFORESAID, AND  
THEREBY CONSTITUTE "REPLICATED NUCLEAR FACILITIES,  
"IF: (A) THEY ARE FABRICATED OR CONSTRUCTED IN THE TERRITORY  
OF THE ARAB REPUBLIC OF EGYPT DURING THE PERIOD SPECIFIED IN  
ARTICLE XIII OF THIS AGREEMENT, AND (B) THEIR DESIGN, FABRICATION,  
CONSTRUCTION OR OPERATING PROCESSES OR MECHANISMS ARE THE  
SAME AS, OR SIMILAR TO, THE CHEMICAL OR PHYSICAL PROCESSES OR  
MECHANISMS CONTAINED OR DESCRIBED IN THE TECHNOLOGICAL  
INFORMATION SO TRANSFERRED, PROVIDED THAT SUCH TECHNOLOGICAL  
INFORMATION IS NOT AVAILABLE THROUGH OPEN OR UNCLASSIFIED  
LITERATURE.

3. THE DEFINITION OF "TECHNOLOGICAL INFORMATION" ITEM (14) BE  
CHANGED TO READ:-

"TECHNOLOGICAL INFORMATION" MEANS MAJOR TECHNOLOGICAL  
INFORMATION WHICH IS DETERMINED BY THE GOVERNMENT OF THE  
UNITED STATES OF AMERICA TO BE THE BASIS FOR THE DESIGN,  
FABRICATION, CONSTRUCTION OR OPERATION OF NUCLEAR FACILITIES.  
THIS DEFINITION WILL BE APPLICABLE UNTIL THE IAEA FORMULATES A  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 CAIRO 02046 171656Z

DEFINITION FOR TECHNOLOGICAL INFORMATION WHEREBY THE LATTER  
DEFINITION WILL APPLY.  
DEFINITION WILL APPLY.

THIRD: ARTICLE III

WE PROPOSED TO ADD A NEW ITEM TO COVER POSSIBLE COOPERATION  
IN NUCLEAR INDUSTRIES TO BE INCLUDED AFTER ITEM (1); AS  
FOLLOWS:

2. NUCLEAR INDUSTRIES SUCH AS FUEL REFINING, CONVERSION

AND FABRICATION, AS WELL AS NUCLEAR ELECTRONIC INDUSTRIES.

FOURTH: ARTICLE X

1. WE AGREE TO THE REVISED TEXT OF PARAGRAPH (5) AS IN  
YOUR LETTER OF JANUARY 16TH, AND WE PROPOSED A SLIGHT CHANGE  
AT THE END OF 5(B) TO READ AS FOLLOWS:

"....SHALL BE SUBJECT TO SAFEGUARDS OF THE I.A.E.A. OR  
THE N.P.T.

2. ON PAGE 18, ITEM (C), WE PROPOSE TO CHANGE THE FIRST  
PARAGRAPH TO READ AS FOLLOWS:

"SHALL NOT BE TRANSFERRED TO UNAUTHORIZED PERSONS, OR  
BEYOND THE JURISDICTION OF THE GOVERNMENT OF THE ARAB  
REPUBLIC OF EGYPT UNLESS SUBJECT TO SAFEGUARDS OF THE I.A.E.A.  
OR THE N.P.T., UNLESS THE RECIPIENT NATION...."

FIFTH: ARTICLE XI

ON PAGE 21 - ITEM (C), WE PROPOSE TO CHANGE THE TEXT, SO  
THAT REPLICATED NUCLEAR FACILITIES WOULD BE UNDER INTERNATIONAL  
SAFEGUARDS OF THE I.A.E.A. OR THE N.P.T. THIS CHANGE  
IS CONSISTENT WITH THE REVISED TEXT OF PARAGRAPH 5 OF ARTICLE  
X, W.R.T. REPLICATED NUCLEAR FACILITIES TRANSFERRED OUTSIDE  
EGYPT. IN ADDITION THIS POINT WAS AGREED UPON DURING MY  
LAST DISCUSSIONS WITH ERDA IN WASHINGTON, SINCE REPLICATED  
NUCLEAR FACILITIES MAY INCORPORATE TECHNOLOGICAL INFORMATION  
TRANSFERRED NOT ONLY FROM THE U.S.A. BUT ALSO FROM OTHER  
COUNTRIES.

I HOPE THAT THESE COMMENTS AND SUGGESTIONS WOULD BE  
ACCEPTABLE TO THE AMERICAN SIDE AND THAT THE TEXT OF THE  
AGREEMENT WOULD BE FINALIZED IN THE NEAREST FUTURE.

PLEASE ACCEPT THE ASSURANCES OF MY HIGHEST CONSIDERATION.

YOURS SINCERELY,  
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 CAIRO 02046 171656Z

DR. M.A. ELGEUBEILY (SIGNED)  
MINISTER OF SCIENTIFIC RESEARCH  
AND ATOMIC ENERGY UNQUOTE

3. AMBASSADOR SENDING INTERIM REPLY TO GUBEILI FEBRUARY 17  
SAYING THAT COMMENTS HAVE BEEN SENT TO WASHINGTON AND THAT WE  
WILL INFORM GOE OF USG COMMENTS AS SOON AS RECEIVED. EILTS

CONFIDENTIAL

NNN



## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENT DRAFT, NUCLEAR COOPERATION PROGRAMS, DIPLOMATIC COMMUNICATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 FEB 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976CAIRO02046  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760059-0185  
**From:** CAIRO  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760244/aaaabmpx.tel  
**Line Count:** 161  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION OES  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE A-8, 76 CAIRO 480, 76 STATE 9388, 76 CAIRO 635  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** GolinoFR  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 29 MAR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <29 MAR 2004 by CollinP0>; APPROVED <30 MAR 2004 by GolinoFR>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** REVISED DRAFT NUCLEAR AGREEMENT FOR COOPERATION - EGYPTIAN PROPOSED REVISION  
**TAGS:** PFOR, TECH, EG, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006